



ACEC Design Environmental Discussion Series

July 20, 2021



Welcome and Overview

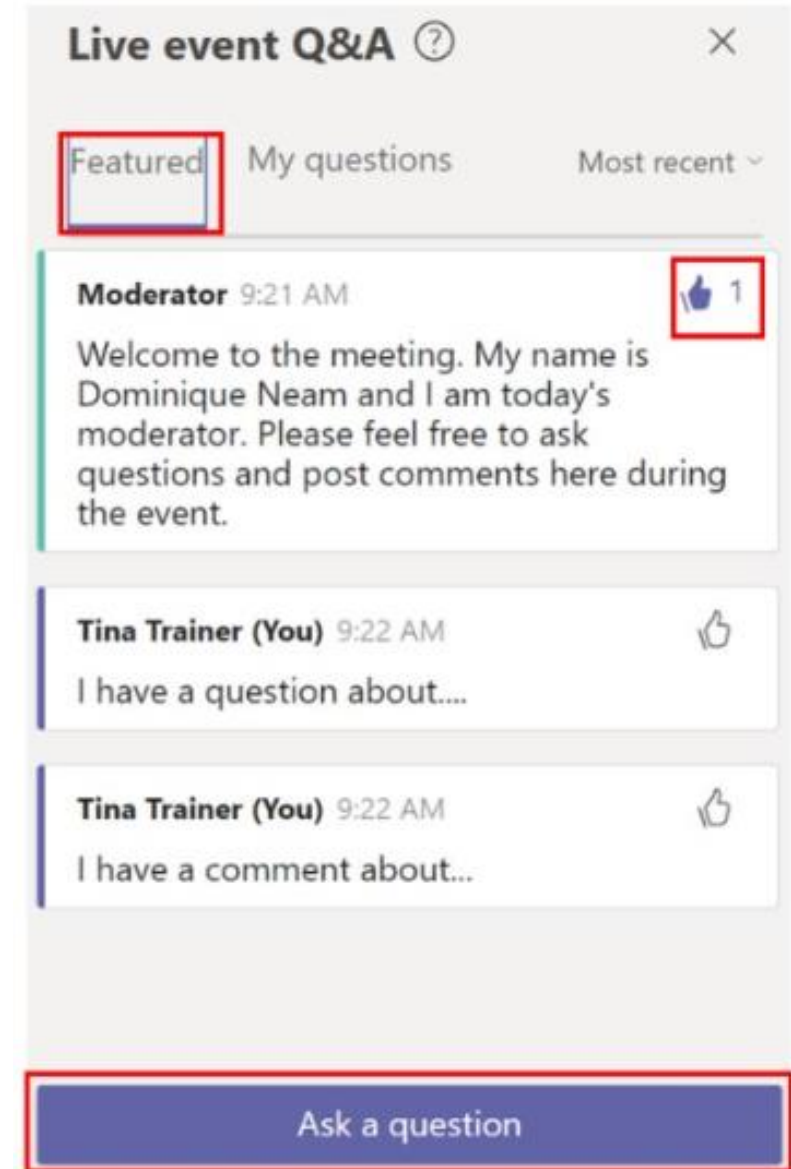
Chris Goodson

GDOT Ecology Section Manager

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Housekeeping

- “Anonymous” attendees will not show up on engagement report
- Questions via the Q&A box (microphones are muted)
 - ✓ Attribution if name included
 - ✓ Anonymous if name not included
- Type questions at anytime



Housekeeping (continued)

- Session being recorded & will be available
- Two (2) PDH/CEU's available for those attending the entire session
- Email Gail D'Avino (gdavino@dot.ga.gov) by August 3 to request a certificate – include
 - ✓ Name as you would like it to appear
 - ✓ Name of your employer

Today's Topics and Presenters

- **Joint Coordination Procedures:** Streamlining Consultation with FHWA & USFWS – Chris Goodson
- **Ecology Post-Construction Stormwater Report** – Dave Hedeem, Brad McManus, and Sarah Jones
- **Wrap-Up and Key Takeaways**
- **Q&A**



Joint Coordination Procedures Preview

Chris Goodson, GDOT



JCP Overview

Background

- Executed initially in June 2003
- Amended in January 2007 and June 2018...and January 27, 2021!
- Working on revisions since 2014

2021 Signatories

- GDOT
- FHWA
- USFWS
- GADNR-WRD

Regulatory Coverage

- Endangered Species Act
 - No Effect
 - Programmatic No Effect (Appendix A)
 - Informal Section 7
 - Formal Section 7
 - Section 7 Re-initiation
 - Early Coordination & Technical Assistance
- Fish and Wildlife Coordination Act
- Migratory Bird Treaty Act
- Bald and Golden Eagle Protection Act
- Georgia Wildflower Preservation Act
- Georgia Endangered Wildlife Act

Structure

I. Administrative Agreement

II. Appendix A – Acronyms

III. Appendix B – Standard Operating Procedures (SOPs)

- a. Early Coordination & Technical Assistance
- b. No Effect and Informal Section 7 Consultation
- c. Formal Section 7 Consultation
- d. Re-Initiation of Section 7 Consultation
- e. Fish & Wildlife Coordination Act
- f. Migratory Birds & Bats on Drainage Structures
- g. Bald & Golden Eagle Protection Act

IV. Appendix C – Monitoring Report Schedule

**Practitioners should focus
on understanding SOPs**

Early Coordination



GNAHRGIS

IPaC Information for Planning and Consultation

U.S. Fish & Wildlife Service



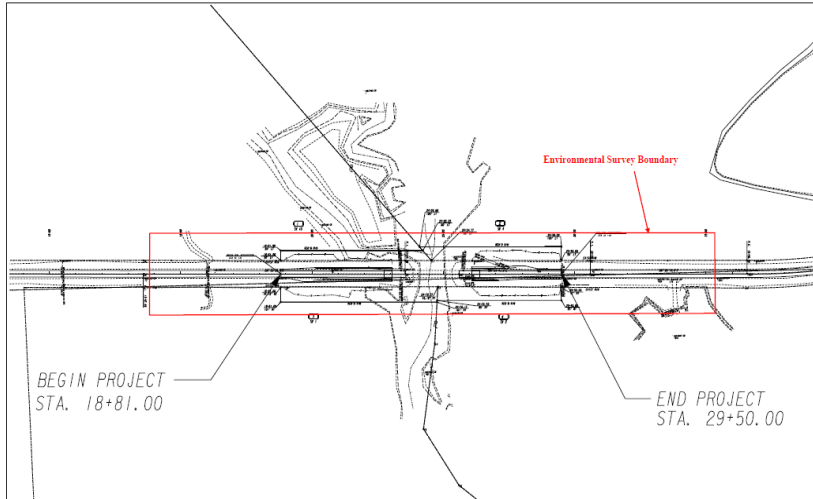
U.S. Fish & Wildlife Service

Georgia Ecological Services Field Offices

Southeast Region

When to Initiate

- Beginning of Resource Identification
- Prior to conducting field surveys
- Every time a project is reevaluated
 - Official GNAHRGIS requests only needed when state species added to unofficial list



How to Initiate

- **GNAHRGIS (GADNR-WRD)** – Rare occurrences within 3 miles of environmental survey boundary
- **IPaC (USFWS)** – Species ranges within environmental survey boundary (**no longer use county lists**)
- Upload ESB shapefile instead of county list for both GNAHRGIS & IPaC

GNAHRGIS – <https://ecology.gnahrgis.org/Home/>

IPaC – <https://ecos.fws.gov/ipac/>

HUC10 – <https://www.fws.gov/athens/transportation/Watersheds.html>

Early Coordination

Creating a Target Species List



GNAHRGIS

* Federal species in GNAHRGIS, but not IPaC → include in ERS-AOE Report; State species outside USFWS consultation range
^ Include NOAA species identified in IPaC or USFWS HUC10 List



Lt Peed Rd at Timms Creek (Site Center: -84.235129, 32.638322, WGS84)

GA	<i>Alasmidonta triangulata</i> (Southern Elktoe)	9.5 miles SE of site in Patsiliga Creek
	<i>Cyclonaias infucata</i> (Sculptured Pigtoe)	9.4 miles SE of site in Patsiliga Creek Huc 10 - 0313000514
GA	<i>Elliptio arcata</i> (Delicate Spike)	3.1 miles NE of site in Patsiliga Creek
	<i>Elliptio nigella</i> (Winged Spike) [HISTORIC]	5.3 miles S of site in Black Lake
GA	<i>Elliptio purpurella</i> (Inflated Spike) [HISTORIC]	0.3 mile SE of site in Patsiliga Creek
US	<i>Hamiota subangulata</i> (Shinyrayed Pocketbook) [HISTORIC?]	0.3 miles SE of site in Patsiliga Creek
	<i>Lampsilis straminea</i> (Rough Fatmucket)	9.5 miles SE of site in Patsiliga Creek
	<i>Lampsilis straminea</i> (Rough Fatmucket)	11.4 miles SE of site in Flint River Huc 10 - 0313000513
GA	<i>Macrochelys temminckii</i> (Alligator Snapping Turtle)	3.8 miles NE of site in Flint River
GA	<i>Macrochelys temminckii</i> (Alligator Snapping Turtle)	4.4 miles E of site in Beaver Creek
US	<i>Medionidus penicillatus</i> (Gulf Moccasinshell) [HISTORIC]	3.1 miles NE of site in Patsiliga Creek
	<i>Micropterus cataractae</i> (Shoal Bass)	4.4 miles E of site in Beaver Creek Huc 10 0313000514 Patsiliga Creek
	<i>Micropterus cataractae</i> (Shoal Bass)	7 miles SE of site in Patsiliga Creek
	<i>Moxostoma sp. 1</i> (Apalachicola Redhorse)	4.4 miles E of site in Beaver Creek
	<i>Moxostoma sp. 1</i> (Apalachicola Redhorse)	7 miles SE of site in Patsiliga Creek
	<i>Necturus beyeri complex</i> (Gulf Coast Waterdog)	4.4 miles E of site in Beaver Creek
US	<i>Pleurobema pyriforme</i> (Oval Pigtoe) [HISTORIC?]	0.3 mile SE of site in Patsiliga Creek Little Patsiliga Creek
	<i>Villosa villosa</i> (Downy Rainbow)	9.5 miles SE of site in Patsiliga Creek
	<i>Chamaecrista deeringiana</i> (Florida Senna) [HISTORIC]	0.6 mile S of site
GA	<i>Chamaecyparis thyoides</i> (Atlantic White-cedar)	0.9 mile S of site
GA	<i>Chamaecyparis thyoides</i> (Atlantic White-cedar)	2.5 miles SE of site
	<i>Eurycea hillisi</i> (Hillis's Dwarf Salamander)	in an uncertain location near the project site
	<i>Eurycea hillisi</i> (Hillis's Dwarf Salamander)	3 miles SW of site
	<i>Eurycea hillisi</i> (Hillis's Dwarf Salamander)	2.9 miles SE of site
	<i>Eurycea hillisi</i> (Hillis's Dwarf Salamander)	2.5 miles W of site
	<i>Pituophis melanoleucus mugitus</i> (Florida Pine Snake)	1.7 miles S of site
US	<i>Sarracenia oreophila</i> (Green Pitcherplant) [HISTORIC]	in an uncertain location near the project site
US	<i>Silene polypetala</i> (Fringed Campion) [HISTORIC]	2 miles E of site
	Patsiliga Creek (0313000514) [SWAP High Priority Watershed] on site	

State Species

1. Southern Elktoe
2. Delicate Spike
3. Inflated Spike
4. Alligator Snapping Turtle
5. Atlantic White-Cedar

Federal Species*^

1. Gopher Tortoise
2. Gulf Moccasinshell
3. Oval Pigtoe
4. Purple Bankclimber
5. Shiny-rayed Pocketbook
6. Fringed Campion
7. Pondberry
8. Relict Trillium

Reptiles

NAME	STATUS
Gopher Tortoise <i>Gopherus polyphemus</i>	Candidate
No critical habitat has been designated for this species. https://ecos.fws.gov/ecp/species/6994	

Clams

NAME	STATUS
Gulf Moccasinshell <i>Medionidus penicillatus</i>	Endangered
There is final critical habitat for this species. Your location overlaps the critical habitat. https://ecos.fws.gov/ecp/species/7663	

Oval Pigtoe <i>Pleurobema pyriforme</i>	Endangered
There is final critical habitat for this species. Your location overlaps the critical habitat. https://ecos.fws.gov/ecp/species/4132	

Purple Bankclimber (mussel) <i>Elliptioideus sloatianus</i>	Threatened
There is final critical habitat for this species. Your location overlaps the critical habitat. https://ecos.fws.gov/ecp/species/7660	

Shinyrayed Pocketbook <i>Lampsilis subangulata</i>	Endangered
There is final critical habitat for this species. Your location overlaps the critical habitat. https://ecos.fws.gov/ecp/species/6517	

Flowering Plants

NAME	STATUS
Fringed Campion <i>Silene polypetala</i>	Endangered
No critical habitat has been designated for this species. https://ecos.fws.gov/ecp/species/3738	

Pondberry <i>Lindera melissifolia</i>	Endangered
No critical habitat has been designated for this species. https://ecos.fws.gov/ecp/species/1279	

Relict Trillium <i>Trillium reliquum</i>	Endangered
No critical habitat has been designated for this species. https://ecos.fws.gov/ecp/species/8489	

Early Coordination

Agency Project Recommendations



GNAHRGIS

Recommendations:

We have the following recommendations for the applicant to consider. Where applicable, please minimize disturbance to stream banks, wetlands, and riparian zones during bridge maintenance activities. Conduct activities from a stable stream bank or reinforced platform that does not cause degradation or destabilization of stream banks. Prohibit operation of equipment in the channel or use of the channel as a ford. We recommend that stringent erosion control practices be used during maintenance activities and that vegetation is re-established on disturbed areas as quickly as possible. Silt fences and other erosion control devices should be inspected and maintained until soil is stabilized by vegetation. Please use natural vegetation and grading techniques (e.g., vegetated swales, turn-offs, vegetated buffer strips) that will ensure that the road or right-of-way does not serve as a conduit for storm water or pollutants into the watershed during or after maintenance. No uncured concrete or water used to facilitate curing should be discharged directly into the stream; curing water should be pumped into filter bags (i.e., "dirt bags") or detention basins before coffer dams or other diversion structures are dismantled. These measures will help protect water quality near the bridge crossing as well as downstream.

Please be aware that the type of erosion control material used during maintenance can impact wildlife. We strongly recommend using natural, biodegradable materials such as 'jute' or 'coir'. Mesh strands should be movable, as opposed to fixed. Use of plastic fencing frequently leads to wildlife entrapment and death.

Please locate staging areas and equipment maintenance areas at least 200 feet from stream banks to minimize the potential for wash water, petroleum products, or other contaminants from construction equipment entering the watershed.

Before any bridge work is initiated, please survey the construction areas of the bridges for roosting birds and bats. We request that survey results be collected either with the "Georgia Bats in Bridges" cell phone application (preferred) or with the "Georgia Bats in Bridges" data form and subsequently submitted to Georgia DNR. Please provide this data even if no bats, birds, or signs of bat or bird use are found.

Georgia Ecological Services U.S. Fish & Wildlife Service

HUC 10 Watershed Report



Fish and Wildlife Coordination Act and additional Endangered Species Act Considerations

The Fish and Wildlife Coordination Act (FWCA) requires federal agencies to consider the effects of their water-related actions (that modify or control natural streams or waterbodies) on fish and wildlife resources. Many of the following recommendations are also specific to endangered or threatened aquatic species protected under the Endangered Species Act. The following may be applicable to proposed project actions.

Riparian Buffer, Streambank, and Stream Channel Protection

Minimize disturbance to stream banks and riparian areas during project work. Do not operate equipment in the stream channel or ford the channel during work. Service recommendations for riparian buffer protection are consistent with those of the Metropolitan North Georgia Water Planning District requiring maintenance of a 50 ft. undisturbed buffer and an additional 25 ft. impervious setback on all streams. Any staging areas, the storage of materials and equipment, borrow pits, or waste sites should not occur in buffer areas or other environmentally sensitive areas. Additionally, when impacts to streambanks and/or stream channel occur, the Service recommends a biotechnical approach to streambank and channel stabilization and restoration where feasible. The use of hard armoring of streambanks or channels should be minimized except where necessary for safety or the protection of structures or property.

Wetland Protection

Wetland losses diminish important wetland values including: the provision of habitat which wetland and terrestrial fauna need for reproduction and/or survival, the storage of storm and flood waters with resultant moderation of flow extremes to receiving waters, and the natural filtration processes that enhance water quality. Wetlands along riparian corridors can provide important connectivity for wildlife movement at the landscape-level. Bridge or culvert construction associated with wetland impacts can alter stream hydrology, degrade water quality, create fish passage barriers, and result in the loss of stream bottom habitat. Measures to avoid and reduce impacts to wetlands and wetland hydrology should be considered during project design.

Water Quality Protection

The Service recommends use of erosion control practices, post construction stormwater management, and other best management practices to protect water quality. The Service's recommendations can be found below.

Erosion and Sedimentation *Sedimentation from construction sites is regulated through Georgia's Erosion and Sedimentation Act, which in most cases is administered by local jurisdictions that have been delegated enforcement authority. We recommend all projects ensure compliance with the Georgia Erosion and Sedimentation Act and encourage consistent communication with the local issuing authority or Georgia Environmental Protection Division both in the design phase and during construction.*

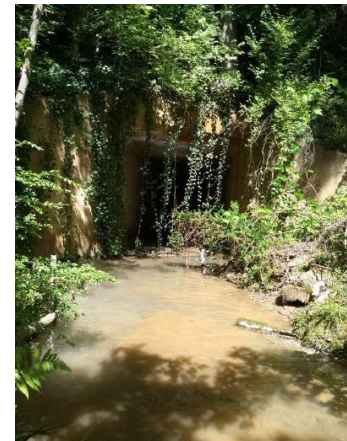
Stormwater *Post construction stormwater management recommendations are consistent with performance standards for Water Quality protection (WQv) and Channel Protection (CPv) found in the Georgia Stormwater Management Manual, otherwise known as the Blue Book (<https://atlantaregional.org/georgia-stormwater-management-manual/>). The Service recommends both the Water Quality and Channel Protection performance standards be met on all projects when applicable under the Blue Book, to minimize impacts to water quality associated with stormwater runoff. For projects that drain to streams or wetlands with federally protected species, we would recommend that additional water quality protection be provided through implementation of the Runoff Reduction performance standard, also found in the Blue Book.*

Field Surveys

Assessing Aquatic & Terrestrial Passage

- FWCA SOP requires assessment of wildlife passage
- Capture pictures of drainage structure from upstream and downstream

1. For perennial streams, GDOT shall survey all existing bridges and culverts for aquatic and terrestrial connectivity and make an assessment of aquatic and terrestrial connectivity. Connectivity assessments should be documented in the ERS AOE and pictures of the upstream and downstream outlets provided.



Documentation

New Templates & Supporting Documentation

- Programmatic Assessment Worksheet (PAW)
 - Used to cover minor project activities (i.e., safety and maintenance)
- Updated ERS-AOE General and Minor Report Templates
- Development of Ecology Stormwater Report
- New Programmatic Categorical Exclusion (PCE) Agreement

Programmatic Criteria	Applicable Species
List all project PNE categories (JCP Table 1):	
Programmatic MA Agreement # (JCP Table 3):	
Special Provision required? (Y/N)	Choose an item.

Documentation

Assessing Effects on Species

- Effect determinations based on IPaC consultation keys or EDGES, if available
- Include completed IPaC key/EDGES as appendix to ERS-AOE Report

Applicant:

1. IPaC indicates EIS may occur in the project area.
 - a. No.....No effect. Provide IPaC information to the Savannah District with application/PCN.
 - b. Yes.....Go to #2.
2. The Fish and Wildlife Service's Georgia Field Office (FWS-GA) provided documentation stating project impacts to EIS were likely to be minimal (FWS-GA signed letter or sticker, T&E survey where FWS-GA provided concurrence with negative findings, or similar documentation).
 - a. No.....Provide completed EDGES Applicant Coordination Slip, with supporting documentation, and a soil map with the project site clearly marked, to the Savannah District with 404 application/PCN.
 - b. Yes.....Provide FWS-GA project review documentation and/or survey data to the Savannah District with application/PCN.

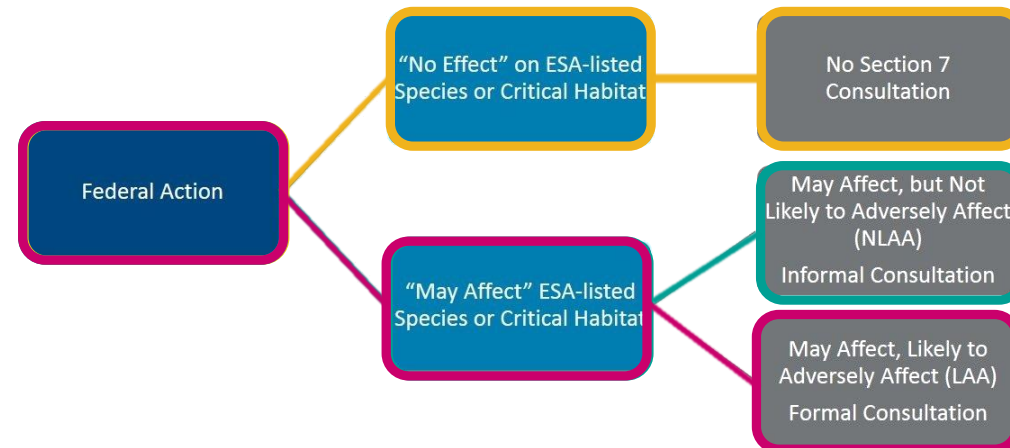
EDGES – <https://www.sas.usace.army.mil/Regulatory/Permitting/EDGES/>

IPaC – <https://ecos.fws.gov/ipac/>

Agency Coordination, Consultation, & Conference

Endangered Species Act – Programmatic Determinations

- Programmatic Determinations typically require significantly reduced documentation
- Programmatic No Effect (PNE) project activities defined by zones (**Table 1**)
- Each PNE activity has species exceptions (**Table 2**)
- Activities not resulting in a PNE may qualify for a Programmatic May Affect (PMA) Determination (**Table 3**)
 - May still qualify for a programmatic determination with special provisions
- New PMAs may be developed at any time (i.e., bridge maintenance activities)



Agency Coordination, Consultation, & Conference

Endangered Species Act – No Effect and Informal Section 7

- A project file will be created in IPaC
 - Add project team members
 - Submit through IPaC, as well as via email
- *No Effect* Determinations
 - GDOT makes '*no effect*' determinations
 - Upload ERS-AOE Report to IPaC and copy Lead Federal Agency
 - No agency response required (**down from 3 weeks**)
- *May Affect, Not Likely to Adversely Affect* (**Informal Section 7**)
 - GDOT makes '*may effect, not likely to adversely affect*' determinations
 - GDOT upload ERS-AOE Report to IPaC and copy Lead Federal Agency
 - Concurrent reviews by Lead Federal Agency and USFWS
 - 21 calendar day agency review period (**down from 7 weeks**)
 - Agency comments suspend/reset review clock based on nature of comments



Agency Coordination, Consultation, & Conference

Endangered Species Act – Formal Section 7

- A project file will be created in IPaC
 - Add project team members
 - Submit through IPaC, as well as via email
- *May Affect, Likely to Adversely Affect* (Formal Section 7)
 - GDOT “recommends” ‘*may affect, likely to adversely affect*’ determinations
 - Upload ERS-AOE Report and Biological Assessment to IPaC and copy FHWA
 - **FHWA:**
 - Provide comments or initiate FS7 with USFWS within 21 calendar days
 - **USFWS:**
 - Notify of completeness within 21 calendar days
 - Provide Biological Opinion within 90 calendar days (down from 135 days)



Agency Coordination, Consultation, & Conference

Endangered Species Act – Reinitiating Section 7

- Update IPaC determination keys
 - Have the species list or designated critical habitat, minimization measures, or effect determinations changed?
 - **No:** Document and update project file in IPaC; No agency review necessary
 - **Yes:** Agency review within 21 calendar days



Endangered species

Endangered species are protected under the Endangered Species Act ¹.

[29 endangered species](#) and 11 critical habitats are known to occur or may be affected by activities in this location.

1 [Request an official species list](#)

[Official species lists](#) were generated for 2 offices. **The species lists are no longer valid.**

REQUEST UPDATED LIST

2 [Evaluate determination keys](#)

3 [Analyze project \(optional\)](#)

4 [Download documentation](#)

Agency Coordination, Consultation, & Conference

Endangered Species Act – Reinitiating Section 7

- Update IPaC determination keys
 - Have the species list or designated critical habitat, minimization measures, or effect determinations changed?
 - **No:** Document and update project file in IPaC; No agency review necessary
 - **Yes:** Agency review within 21 calendar days
- IPaC determination keys unavailable
 - Re-initiation not required if all are true:
 1. Species list or critical habitat has not changed
 2. Project changes will not alter Environmental Survey Boundary (ESB)
 3. Project changes do not result in different answers in EDGES
 - Otherwise, request project-specific guidance from Lead Federal Agency & USFWS
- Update IPaC project file

Agency Coordination, Consultation, & Conference

Fish and Wildlife Coordination Act

- Not Required if:
 1. Impacts are to a resource not considered a Water of the U.S.
 2. Impacts are to ephemerals, open waters, and wetlands (except when bisecting high quality wetlands)
 3. Impacts to individual water resources that result in less than 100 linear feet or 0.1 acre of impact
- **Programmatic Coordination**
 1. **Connectivity Criteria:** Entirety of structure accommodates aquatic and terrestrial wildlife passage (e.g., non-riprap path underneath bridge via plan note)
 2. **Water Quality Criteria:** Treatment of stormwater runoff resulting in 60% removal of Total Suspended Solids (TSS) (Reference feasibility in Ecology Stormwater Report)
- Project-Specific Coordination
 1. Concurrent reviews by FHWA and USFWS
 2. 21 calendar day agency review period (down from 7 weeks)

Takeaways

Endangered Species Act

- Standardization of effect determinations through IPaC determination keys/EDGES
- Expanded programmatic determination activities with no agency review period
- No agency review period for '*no effect*' determinations
- Reduced Informal & Formal Section 7 agency review periods
- Clear guidance for re-initiating Early Coordination and Section 7 Consultations

Fish and Wildlife Coordination Act

- Clear guidance for which impacts to water resources require agency coordination
- Reduced project-specific agency review period
- Programmatic coordination options with no agency review period

General

- More clarity and predictability
- Reduced agency review timelines
- Increased opportunities to recover project schedules
- Opportunities for improved environmental outcomes

Organizational Statements

Vision

Boost Georgia's competitiveness via
leadership in transportation

Mission

Deliver a transportation system focused on
innovation, safety, sustainability and
mobility

Core Values

- F**lexible
- O**pen
- C**ommitted
- U**nified
- S**uccessful

Goals

Streamline Processes

and Improve Access to
opportunities for small
businesses

Utilize Performance-based Management, Innovation, &

P3

to deliver GDOT's mission
responsibly and more
efficiently

Provide Multimodal Transportation Development

& infrastructure innovation
throughout Georgia

Put Georgians' Safety First

through innovation &
technology

QUESTIONS?

Chris Goodson

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Transportation**

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